

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In re

**MISTY DAWN FORSYTHE,**

Debtor.

Case No. **09-62106-7**

***ORDER***

At Butte this 6<sup>th</sup> day of July, 2010.

In this Chapter 7 case a Motion to Modify Stay was filed on June 15, 2010, by U.S. Bank, N.A. (“U.S. Bank”), as Movant, including the notice of opportunity for hearing required under the Mont. LBR 4001-1(a) and LBF 8 giving parties fourteen (14) days to respond and providing that failure to respond by any entity will be deemed an admission that the Motion should be granted without further notice or hearing. The Motion was served on the Debtor, Debtor’s attorney, Trustee, and U.S. Trustee. The 14 day period has expired and no objection and request for hearing has been filed. In accordance with the Notice provision attached to Movant’s motion, the failure of Debtor to respond is deemed an admission that the Movant’s motion should be granted without further notice or hearing. Accordingly,

**IT IS ORDERED** U.S. Bank’s Motion to Modify Stay filed on June 15, 2010 (Docket No. 15) is **GRANTED**; the stay is modified and U.S. Bank is authorized to seek foreclosure and liquidation of its security, allowing Creditor to maintain property preservation until they have

possession and permitting Movant to offer and provide Debtor with information re: a potential Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and to enter into such agreement with Debtor, all communications including but, not limited to, notices required by State Law, sent by Creditor in connection with proceeding against the property may be sent directly to the Debtor, to-wit:

LOT 2, BLOCK 4, OF WILSHIRE HEIGHTS SUBDIVISION, IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT NO. 739705,

in accordance with applicable nonbankruptcy law and the terms of U.S. Bank's Motion; and this Order is effective immediately, not stayed for fourteen days under F.R.B.P. 4001(a)(3).

BY THE COURT

A handwritten signature in cursive script, reading "Ralph B. Kirscher", is written over a horizontal line.

HON. RALPH B. KIRSCHER  
U.S. Bankruptcy Judge  
United States Bankruptcy Court  
District of Montana